

GILA COUNTY BOARD OF ADJUSTMENT  
Gila County Supervisors Conference Room  
610 E. Highway 260, Payson, AZ  
Gila County Supervisors Hearing Room  
1400 E. Ash St., Globe, AZ

February 15, 2018  
9:00 A.M.

**A G E N D A**

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**REGULAR MEETING**

1. Call to Order
2. Pledge of Allegiance
3. Roll Call: Don Ascoli-Chairman, Mickie Nye, Mary Lou Myers, Terry Otts, Bill Marshall
4. Review and Approval of Minutes of the Board of Adjustment Hearing on January 18, 2018.

5. **Director/Planner Communication:**

At any time during this meeting of the Board of Adjustment, the Director and/or Planner of Community Development may present a brief summary of current events. No action may be taken.

**Appeal:**

6. **AV-17-13 Walter Rudnick:** Application was approved by the Community Development Division and appealed by Alejandro and Linda Martinez, due to safety reasons.
7. Adjournment

Information on the above case is available for review in the Gila County Community Development Department located at 745 N. Rose Mofford Way, Globe, Arizona during normal business hours or Gila County Community Development Office, 608 E. Hwy 260, Payson, AZ.

Pursuant to Arizona Revised Statutes, Section 38-431, the Board of Adjustment and Appeals reserves the right to adjourn into Executive Session for Legal Advice, concerning any of the above matters. The Board reserves the right to consider any matter out of order.



**MINUTES OF THE GILA COUNTY  
BOARD OF ADJUSTMENT**

**Thursday, January 18, 2018**

GILA COUNTY BOARD OF SUPERVISORS CONFERENCE ROOM

610 E. Highway 260, Payson, AZ

9:00 A.M.

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**REGULAR MEETING**

1. The meeting was called to order at 9:00 A.M. by Chairman Don Ascoli.
2. Pledge of Allegiance was led by Chairman Don Ascoli.
3. Roll Call: Therese Berumen did the roll call; Chairman Don Ascoli (in Payson), Terry Otts (in Globe), Bill Marshall (in Globe), Mickie Nye (in Payson), and Mary Lou Myers (in Payson) are all present. No members were absent. A quorum is present.

Community Development Staff Members Present: Scott Buzan-Director, Robert Gould-Planner and Therese Berumen-Administrative Assistant.

4. Review and Approval of the Board of Adjustment Minutes on October 19, 2017. Chairman Don Ascoli asked if there were any changes needed to the minutes. No changes were suggested. Bill Marshall motioned that the minutes be approved as is and Terry Otts seconded the motion. The motion was unanimously approved.
5. **Director/Planner Communication:** At any time during this meeting of the Board of Adjustment, Director Scott Buzan and/or Planner Robert Gould of Community Development may present a brief summary of current events. No action may be taken.

Neither Scott Buzan nor Robert Gould had any items they wanted to discuss.

**Public Hearing:**

6. **V-17-02 Allen Reed:** A request to obtain a Variance to construct an addition to the existing residence on the property. The applicant finds that due to the topography of his parcel, that he has limited options and is requesting a 6-foot rear property line setback, instead of the required 20-foot. Subject property is located at 165 N. Tonto Rim Ranch Road, Payson, AZ; Gila County Tax Assessor's Parcel 303-04-029 and is currently zoned GU (General Unclassified).

Robert Gould presented the staff report overview. Mr. Reed owns a home in Rim Ranch Subdivision and would like to expand the size of it. The home is positioned on the rear portion of the lot and is under 800 square feet right now. The rear deck on the home is estimated to be approximately 5 feet from the rear property line. There is a seasonal creek which affects two-thirds of this property. The drainage makes it very difficult to even reach the home due to the steepness of the terrain. The rear property line starts the U.S. Forest Service land. Staff believes that granting this Variance has almost no chance of becoming a nuisance to surrounding properties, due to not having any private land located off the rear property line, therefore, staff

would recommend the Board of Adjustment approve V-17-02, to allow a 6-foot rear property line setback, to expand the home. I estimate the existing deck to be about 6 feet from the rear property line and decks are also allowed to encroach into the setback. Mickie Nye asked if the three questions that were listed under the analysis section of the staff report were asked and answered. Robert Gould stated that one question that they got a positive response to, were the topographic issues that the property faces. It literally takes almost two-thirds of his lot out of any kind of development potential. He is really forced to push it back to the rear portion of his lot.

The meeting was opened to public comment. Allen Reed stated that like Mr. Gould previously said, the topography of his lot leaves him very little room to expand and that is why it was decided upon to expand towards the rear property line. Mr. Gould came out 2 years ago and walked the property with me and was able to see the topography I am dealing with. The back boundary is the Tonto National Forest boundary and isn't buildable. The original structure (cabin), along with the deck was built in 1983. I will be retiring and making this my year-round home and need to add to it. It is only a 2-bedroom, 1 bath right now. That is why I am respectfully requesting this Variance. Board member Mickie Nye asked if Mr. Reed had a timeframe for completion and Mr. Reed responded that he is hoping within the year. Robert Gould stated that it might be a good idea to put a condition stating that permits need to be taken out for this project within 18 months. Mr. Reed asked if there was any feedback from the public (neighbors) and Chairman Don Ascoli stated no because there was nothing in the agenda packets. No other public comments. The public comment portion of the meeting was closed.

Mickie Nye motioned to approve Variance V-17-02 and allow a 6-foot rear property line setback, with the only condition that permits be taken out within 18 months. The motion was seconded by Mary Lou Myers. The motion was unanimously approved.

7. Adjournment. Mickie Nye made a motion to adjourn the meeting and Mary Lou Myers seconded the motion. The motion to adjourn was unanimously approved at 9:14 A.M.

745 N. Rose Mofford Way  
Globe, Arizona 85501  
(928) 402-4224  
FAX (928) 425-0829



608 E. Hwy 260  
Payson, Arizona 85541  
(928) 474-9276  
FAX (928) 474-0802

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## GILA COUNTY COMMUNITY DEVELOPMENT

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February 7, 2018

To: Board of Adjustment

From: Robert Gould

Subj: Appeal to AV-17-13 to allow an exempt carport within 3 and ½ feet of side property line.

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Alejandro and Linda Martinez (Appellant) are concerned about this Administrative Variance, which has been approved. Their concerns are if the stone wall, which is located on their property collapses, as it did last year, what damage would occur to the applicant's carport or anything stored inside.

Our current zoning regulations for this structure are stated below:

A. Accessory uses and structures for residential property

1. Setbacks for an exempt structure shall be the same as those established for non-exempt structures, except that the applicant can apply for an administrative variance to reduce the setback to no less than 3 feet from the side and rear setback requirements.
2. No accessory structure or use shall be placed in the front yard.
3. Accessory uses or structures may be established without the principle or primary use through the use permit process where it can be clearly established that the structure or use will not be a nuisance to surrounding neighbors or negatively impact the neighborhood.

Pictures showing the carport and the wall are included in the agenda packet. The wall belongs to the appellant. Staff has gone out to re-measure ensuring that the structure is in compliance with the Administrative Variance.



Gila County Community Development Division  
Planning & Zoning Department  
745 N Rose Mofford Way, Globe, AZ 85501  
(928) 402-8512  
FAX: (928) 425-0829

or  
608 E Highway 260, Payson, AZ 85541  
(928) 474-9276  
FAX: 928-474-0802

### ADMINISTRATIVE VARIANCE APPLICATION

Date: 12-11-2017

Case File No.: AV-17-13

Applicant Name: WALTER RUDNICK Phone No.: 480 291 3196  
Mailing Address: PO BOX 2354 Pine AZ 85544  
Signature: \_\_\_\_\_

Owner's Name: WALTER RUDNICK Phone No.: 480-291-3196  
Mailing Address: PO BOX 2354 Pine AZ 85544  
Signature: \_\_\_\_\_

(If the applicant is not the owner of the subject property, the owner must sign the application authorizing the applicant to apply.)

Property Address: 3784 N. ANVIL Rd Pine AZ 85544  
Property Parcel No.: 301-24-119 Legal Description: \_\_\_\_\_  
Zoning of Property: R1D12

Applicant's Description of Administrative Variance Request: 3.5 Side Setback  
instead of 7' - fire rated

Applicant's Justification for an Administrative Variance: no where else to  
put carport on property.

Attach a reproducible 8 1/2" x 11" site plan showing: scale; north arrow; all lot dimensions; adjacent streets and names; all existing and proposed buildings and structures, driveways, alleys, easements, water and utility services, septic tanks and leach fields, fences, and drainage ditches; significant trees and vegetation; and, extreme topographical conditions. Show all dimensions of existing and proposed buildings and structures, and distances between buildings. Label property lines (i.e. front, rear, side) and show the dimensions of the setbacks. Show the proposed feature which is the subject of the variance request.

#### FOR OFFICE USE ONLY

Inspector's Report and Pictures Done: \_\_\_\_\_  
Approved: X Denied: \_\_\_\_\_

Directors Signature: \_\_\_\_\_  
Date: \_\_\_\_\_

Date notices mailed to Applicant & Adjacent Property Owners: 1/2/18

Appeal Due Date: 1/23/18 Appealed: 1/22/18 Linda + Alejandro  
Martinez

## **Berumen, Therese C**

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**From:** Bradway, Deborah  
**Sent:** Tuesday, December 12, 2017 9:04 AM  
**To:** Berumen, Therese C  
**Subject:** FW: Message from KMBT\_C552DS  
**Attachments:** SKMBT\_C552D17121114490.pdf

Requesting a 3.5 side setback

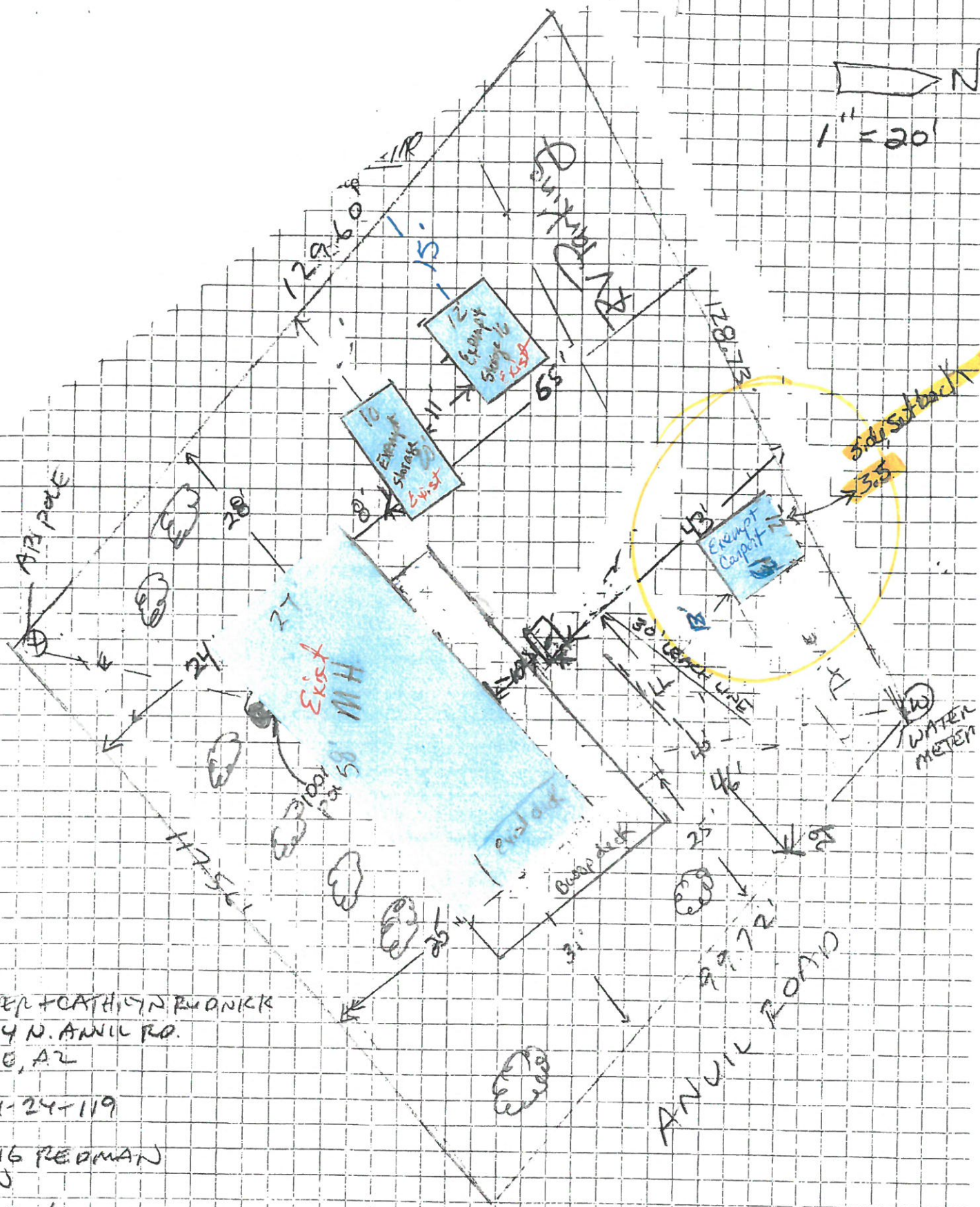
They are at a 2.5 side setback now but they will be moving the post back a foot to obtain the 3.5

*Debby Bradway*

**Senior Building Safety Assistant  
Gila County Community Development  
608 E. Hwy 260  
Payson AZ 85541  
928-474-7110**



N  
1" = 20'



WATER TOWER IN BUCK  
3784 N. ANLUK RD.  
PIRE, AZ

301-24-119

2016 REDMAN  
SIN

2BN/1.5 BATH





# FDI

## FLOODPLAIN DATABASE INFORMATION

GILA COUNTY, ARIZONA

FOR FLOODPLAIN PERMITTING FOR BUILDING ONLY,  
NOT FOR INSURANCE, LENDING OR REAL ESTATE

GILA COUNTY ASSESSOR'S PARCEL NUMBER

301-24-119

### SECTION I - PURPOSE

This form provides general flood information for a PARCEL of land. This information is provided for purposes of planning construction projects. If any part of the parcel is within a regulatory floodplain, the parcel will be shown as within the floodplain, so that floodplain staff can review permit applications. Gila County has no jurisdiction over insurance, lending or real estate issues.

(DIFFERENT REGULATIONS APPLY TO INSURANCE AND REAL ESTATE DISCLOSURES THAN TO CONSTRUCTION)

FEMA Flood Maps are available at [msc.fema.gov](http://msc.fema.gov) or [gis.gilacountyaz.gov](http://gis.gilacountyaz.gov). For more floodplain information, go to [www.gilacountyaz.gov](http://www.gilacountyaz.gov)

### SECTION II - PERMIT-RELATED INFORMATION

(to be completed by Gila County)

#### A. NATIONAL FLOOD INSURANCE PROGRAM (NFIP) JURISDICTION

1. NFIP Community Name <b>Gila County</b>	2. County <b>Gila</b>	3. State <b>Arizona</b>	4. NFIP Community Number <b>040028</b>
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#### B. NATIONAL FLOOD INSURANCE PROGRAM (NFIP) DATA AFFECTING BUILDING/MANUFACTURED HOME

1. NFIP Map Number or Community-Panel Number <b>04007C 0064 D</b>	2. NFIP Map Panel Effective/Revised Date <b>December 4, 2007</b>	3. LOMA/LOMR Number <b>D</b>	4. Flood Zone <b>D</b>	5. No NFIP Map
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#### C. FEDERAL FLOOD INSURANCE AVAILABILITY

1. ☒ Federal Flood Insurance is available (Community participates in NFIP). 2. ☒ Regular Program.

#### D. DETERMINATION

1a. IS **PARCEL** IN A **SPECIAL FLOOD HAZARD AREA** "SFHA"

(Either a "regulatory Floodplain" on a FEMA Flood Insurance Rate Map,  
or adopted by Gila County as an "Administrative Floodplain") ?

☐ YES

☒ NO

1b. IF LINE D1a IS "YES", IS **PARCEL** IN A **FLOODWAY**?

☐ YES

☒ NO

1c. **Regulatory Flood Elevation (RFE)** will be determined following receipt of a floodplain use permit application with site plan.

2a. IS **PARCEL** IN AND/OR NEAR AN UNMAPPED WATERCOURSE

**REGULATED BY GILA COUNTY** through the Grading and Drainage Ordinance?

(NFIP Flood Insurance is NOT affected by whether this box is yes or no)

☐ YES

☒ NO

2b. "**RFE**", the minimum elevation of the lowest floor, measured above the flowline of the adjacent watercourse, in feet (where not in a FEMA floodplain) is:

2c. Drainage area above parcel, in square miles, is:

3. **FLOOD-RELATED EROSION SETBACK** from an unprotected watercourse bank, in feet, is:

3a. if on a straight reach, or 3b. 0 if on the outside of a bend.

• IF any "YES" is checked, then a Floodplain Use Permit (FPUP), Floodplain Clearance, or Grading/Drainage Permit IS REQUIRED BEFORE PLAN SUBMITTAL FOR A BUILDING OR SEPTIC PERMIT.

The BFE/RFE estimate may be refined after a site plan is received with a permit application. Other building stipulations may also apply.

• IF all are "NO", PLANS MAY BE SUBMITTED FOR A BUILDING PERMIT.

#### E. COMMENTS (Optional):

This preliminary information pertains to the parcel and is not specific to any particular building which may exist or which may be proposed thereon.

This information is based on examining the NFIP map, any Federal Emergency Management Agency revisions to it, and any other information needed to locate the parcel/building/ mobile home on the NFIP map. This information is for the parcel of land. Information specific to a building on the parcel will be determined during the permit process. If any part of the parcel lies within the special flood hazard area or area regulated by the Gila County Floodplain Management Ordinance, the parcel is shown as within such an area. A building site on the parcel may be determined to be outside of the special flood hazard area upon review of a site plan, which is not necessarily reflected in this determination. **This determination is an interpretation of public information provided as a courtesy by Gila County. All users of this information are responsible for the verification of this interpretation for their needs.** Gila County assumes no liability for the accuracy of the information provided on this document, or appropriateness / completeness of this level of information for a particular purpose. More detailed information and other requirements may be needed prior to construction in a floodplain.

#### F. PREPARER'S INFORMATION

NAME, ADDRESS, TELEPHONE NUMBER

Gila County Community Development

608 E State Highway 260  
PAYSON, AZ 85541  
928-474-9726

745 N. Rose Mofford Way  
Globe, AZ 85501  
928-425-3231 x 8512

DATE: 11/7/2014

PREPARED BY (Staff Name): TB per Floodplain Spreadsheet



PT NW 1/4 SECTION 36  
T12N R8E

301-34-119 Rudnick Property  
Adjacent property owners

SEE MAP 301-18 2 of 4

SEE MAP 301-19 4 of 4

301-24  
1 of 2  
CODE 1276  
UPDATED 8-14-17

PINE VALLEY HOMESITES  
UNDER THE TONTO RIM  
Gila County Recorded  
Plat 164

SEE MAP 301-67

SEE MAP 301-21

SEE MAP 301-21

SEE MAP 301-18 4 of 4

SEE MAP 301-24  
2 of 2

SEE MAP 301-19  
2 of 7

WOODLAND HEIGHTS, AMENDED  
Gila County Recorded Plat 264

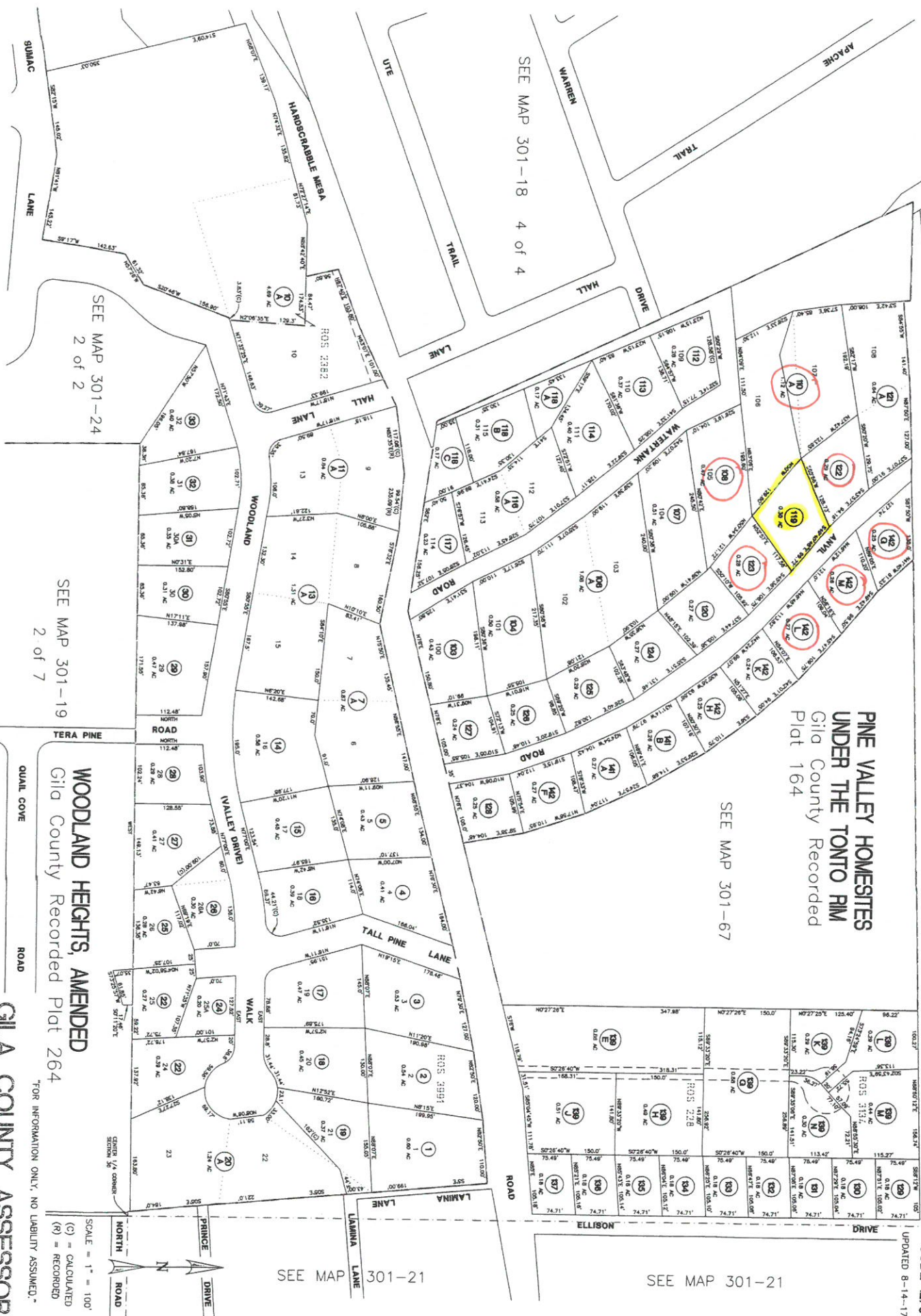
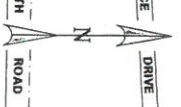
GILA COUNTY ASSESSOR

\*FOR INFORMATION ONLY, NO LIABILITY ASSUMED.\*

SCALE = 1" = 100'

(C) = CALCULATED

(R) = RECORDED



Walter Rudnick  
PO Box 2354  
Pine, AZ 85544

Wayne & Lisa Duba  
9401 S. 157<sup>th</sup> Place  
Gilbert, AZ 85234

Nancy Yates  
14502 N. Lark Crt.  
Fountain Hills, AZ 85268

Alejandro & Linda Martinez  
PO Box 2013  
Pine, AZ 85544

Fredrick & Jonnimae Kienitz Trste/Trst  
PO Box 281  
Pine, AZ 85544

Pine Investment Properties, LLC  
C/O Robert & Mary Kline  
3845 E. Happy Road  
Queen Creek, AZ 85142

Kevin & Sheri Canham  
520 Bass Rd.  
Wickenburg, AZ 85390

745 N. Rose Mofford Way  
Globe, Arizona 85501  
(928) 402-4224  
FAX (928) 425-0829



608 E. Hwy 260  
Payson, Arizona 85541  
(928) 474-9276  
FAX (928) 474-0802

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## GILA COUNTY COMMUNITY DEVELOPMENT

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December 29, 2017

Mr. Walter Rudnick  
PO Box 2354  
Pine, AZ 85544

Re: Administrative Variance (AV-17-13)  
Request for a 3.5' side property line setback  
3784 N. Anvil Road, Pine, AZ 85544  
APN# 301-24-119, Zoning R1-D12

Dear Mr. Rudnick,

Your application for an Administrative Variance to allow a 3.5' side property line setback has been approved due to the hardship imposed on the property and there is minimal impact to adjoining property uses. These two factors meet the requirements of Section 101.3 (A)(1) of the Gila County Zoning Ordinance which allows for an Administrative Variance to be approved when compliance with the minimum building setback regulations creates a hardship and there is minimal impact to adjoining property uses. Your lot is approximately .3 acres in area. In reviewing your parcel, there appears to be little choice in other locations for this carport. Our Zoning Ordinance allows exempt structures to be within 3 feet of the property line, with an Administrative Variance. The purpose of requiring the Administrative Variance is to ensure that the exempt structure does not constitute any kind of nuisance.

This letter of approval will be sent to adjoining property owners to allow them an opportunity to appeal this decision. Appeals of this decision must be filed in writing with the Community Development Division within fifteen (15) working days following the date of mailing of this notice of decision. This appeal period will end on January 23, 2018.

Should you have any questions or concerns, please feel free to contact the Community Development Globe office at 928-402-4224.

Sincerely,

Robert Gould  
Planner



RECEIVED

JAN 24 2018

3798 Anvil Road  
Pine, AZ 85544  
928-476-6400

Mr. Robert Ould,

Per our phone call on 1-17-2018  
you asked me to send a letter  
stating that we do not agree on the  
administrative variance for AV-17-13 at  
3784 Anvil Road Pine, AZ 85544, Zoning  
R1-DZ since we never received a letter  
asking if we agree or disagree on the  
variance.

We are not sure if the setback is correct  
since a permit was never gotten for  
property to put structure up and has been  
up for about three months.

The adjoining property which is ours has a  
stone wall, last year 12 feet of the wall  
collapsed and went into their property of  
3784 Anvil Road. We question what will happen  
if another collapse were to occur and damage  
their structure or their two Razor Vehicles  
they have stored there. There is no safety  
distance between our properties that  
a collapse could happen again. We  
are asking that a inspection be made  
on this site.

Thank you  
Alexandra Linder  
mactinez

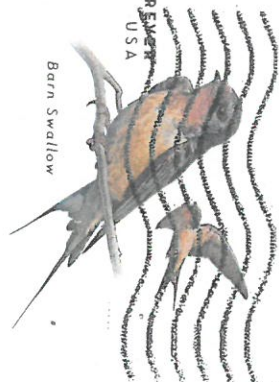
Marline Z  
PO Box 2013  
Pine, AZ 85544

Community Development  
Attention Robert Gould  
745 N. ROSE Mottard Way  
Globe, AZ. 85501

PHOENIX AZ 852

22 JAN 2018 PM 11

FOREVER  
USA



RECEIVED  
JAN 24 2018

85501-447145



745 N. Rose Mofford Way  
Globe, Arizona 85501  
(928) 402-4224  
FAX (928) 425-0829



608 E. Hwy 260  
Payson, Arizona 85541  
(928) 474-9276  
FAX (928) 474-0802

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## GILA COUNTY COMMUNITY DEVELOPMENT

---

January 30, 2018

Mr. Walter Rudnick  
PO Box 2354  
Pine, AZ 85544

Re: Administrative Variance (AV-17-13) Appeal  
Request for a 3.5' side property line setback  
3784 N. Anvil Road, Pine, AZ 85544  
APN# 301-24-119, Zoning R1-D12

Dear Mr. Rudnick,

We have received an appeal to the administrative variance application you submitted, to consider a 3.5 ft. side property line setback to erect a carport. This administrative variance application is scheduled to be heard by the Board of Adjustment on February 15, 2018 at 9:00 A.M., in our Payson office at 608 E. Hwy 260. It is recommended that you be present at this hearing to answer any questions the Board may have.

Sincerely,

*James Beum for Robert Gould*

Robert Gould  
Planner



745 N. Rose Mofford Way  
Globe, Arizona 85501  
(928) 402-4224  
FAX (928) 425-0829



608 E. Hwy 260  
Payson, Arizona 85541  
(928) 474-9276  
FAX (928) 474-0802

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## GILA COUNTY COMMUNITY DEVELOPMENT

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January 30, 2018

Mr. and Mrs. Martinez  
PO Box 2013  
Pine, AZ 85544

Re: Walter Rudnick Administrative Variance (AV-17-13) Appeal  
Request for a 3.5' side property line setback  
3784 N. Anvil Road, Pine, AZ 85544  
APN# 301-24-119, Zoning R1-D12

Dear Mr. and Mrs. Martinez,

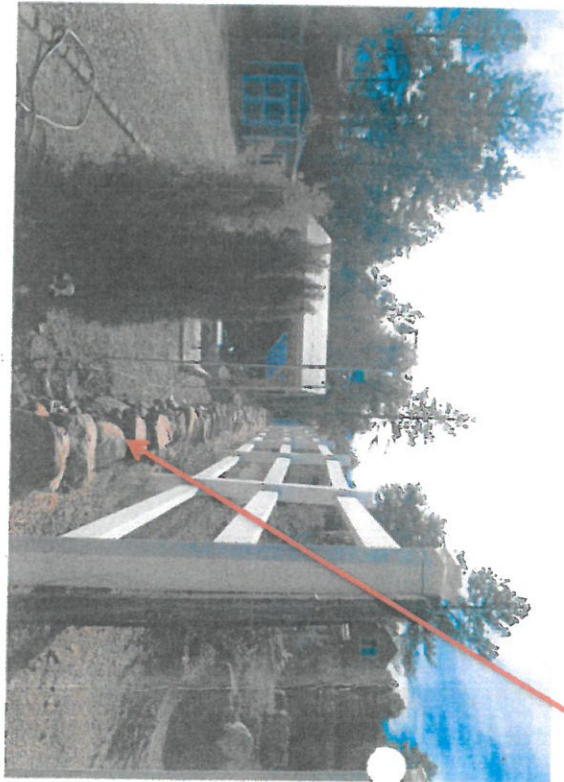
We have received your appeal to the administrative variance application for Walter Rudnick, to consider a 3.5 ft. side property line setback to erect a carport. This administrative variance application is scheduled to be heard by the Board of Adjustment on February 15, 2018 at 9:00 A.M., in our Payson office at 608 E. Hwy 260. It is recommended that you be present at this hearing to answer any questions the Board may have.

Sincerely,

Robert Gould  
Planner



*This is a view of the small carport. And the rock wall that is mentioned in the appeal letter*





**YARD:** An area of uniform width behind which the exterior walls of any main building must be established. Such yard is measured as the minimum horizontal distance from a lot line or an existing or projected right-of-way line. A yard shall be unobstructed by structures, except where otherwise permitted under the terms of this Zoning Ordinance.

**YARD, FRONT:** A yard abutting the front lot line.

**YARD, REAR:** A yard abutting the rear lot line.

**YARD, SIDE:** A yard abutting that portion of a side lot line lying between the front and rear yards.

**ZONING DISTRICT:** A zoned area in which the same zoning regulations apply throughout.

**ZONING INSPECTOR:** For all applications of this Zoning Ordinance, the Community Development Division Director of Gila County is the duly appointed Zoning Inspector.

**ZONING REGULATIONS:** Shall mean the Planning and Zoning Regulations, Gila County, Arizona.

### **SECTION 103**

#### **GENERAL STIPULATIONS & PROVISIONS – ALL DISTRICTS**

The following stipulations and provisions shall apply to all districts unless supplanted and/or supplemented by differing stipulations and provisions established in any particular district.

#### **SECTION 103.1**

##### **STRUCTURES AND USES**

##### **COMPLIANCE TO DISTRICT REQUIREMENTS**

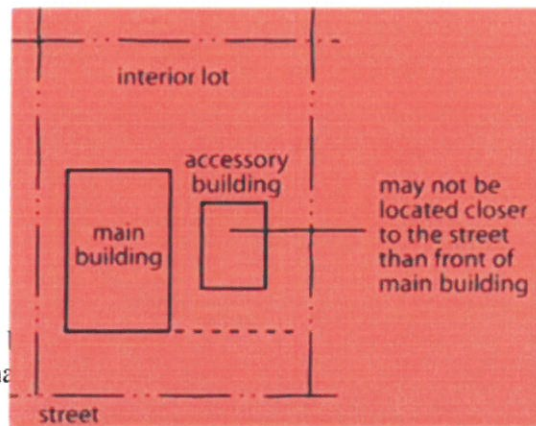
- A. No building or other structure shall be erected, altered, or moved, nor shall any land or building be used, designed or intended to be used for any purpose or in any manner other than is included among the uses hereinafter listed as permitted in the district in which such structure or land is located, except that any structure may be removed from any property.
- B. No building or other structure shall be erected or added to, so as to exceed in height the limit hereinafter designated for the district in which located, whether such height be designated in stories, number of feet, or otherwise.
- C. No building or other structure shall be erected or added to in such manner as to encroach upon or reduce any open space, yard setback requirement, lot area, or parking area as is hereinafter designated for the district in which such structure or open space is located. No yard or other space on one lot shall be considered as providing a yard or open space for a structure on any other lot.
- D. No building or structure shall be erected, constructed, reconstructed, altered, maintained or used in such a manner that the life, health, property or safety of the public or its occupants are endangered. This includes, but is not limited to, a building or structure or portion thereof:
  - 1. In which the means of exit does not provide safe and adequate means of egress in case of fire or panic;
  - 2. In such a condition that it is likely to partially or completely collapse;
  - 3. That is manifestly unsafe for the purpose for which it is being used;



4. That is used or intended for use as a dwelling and is determined by the Health Official to be unfit for human habitation or in such a condition that it is likely to cause sickness or disease.
  5. That is determined by the Fire Marshall to be a fire hazard.
- E. No property or use shall be operated or maintained in such a manner as to be a fire and/or explosion hazard; no property or use shall be allowed to emit toxic fumes or generate toxic waste; neither shall there be emitted into the atmosphere smoke, soot, dust, radiation, odor, noise, vibration, heat, or glare to such an extent as to constitute a nuisance; no property or use shall be operated or maintained to store junk or in such a manner as to be deemed a junk yard, unless permitted within a specific zoning district.

**F. Accessory uses and structures for residential property**

1. Setbacks for an exempt structure shall be the same as those established for non-exempt structures except that the applicant can apply for an administrative variance to reduce the setback to no less than three feet from the side and rear setback requirements.
2. No accessory structure or use shall be placed in the front yard.
3. Accessory uses or structures may be established without the principle or primary use through the use permit process where it can be clearly established that the structure or use will not be a nuisance to surrounding neighbors or negatively impact the neighborhood.



- G. No structure shall be located in such a manner as to create safety issues for hazardous materials.

Use permit that considers life safety issues.

**SECTION 103.2**

**GENERAL REQUIREMENTS FOR LOTS**

No lot shall hereafter be created, whether by minor land division, record of survey, small subdivision or subdivision, that contains less than the minimum number of square feet or minimum lot dimensions established for the zoning district or density district in which it is located.

**SECTION 103.3**

**RESTRICTION ON REGULATING THROUGH ZONING**

**A. NOTHING CONTAINED IN THIS ZONING ORDINANCE SHALL:**

**Kaufman, Jade**

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**From:** Northstar Surveying <northstarsurveying@hotmail.com>  
**Sent:** Wednesday, October 25, 2017 8:24 AM  
**To:** Kaufman, Jade  
**Subject:** Survey for Walter Rudnick A.P.N. 301-24-119

To whom it may concern, We at Northstar Surveying are going to perform a boundary survey on Walter Rudnick's property (A.P.N. 301-24-119) on November 20th. Thank you.

Northstar Surveying, Inc.  
Stephen R. Perham R.L.S.  
Vice President